

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RUSSELL BEST,

Plaintiff,

v.

BNSF RAILWAY COMPANY, a  
Delaware corporation,

Defendant.

NO. CV-06-172-RHW

**ORDER GRANTING THE  
PARTIES' STIPULATION OF  
DISMISSAL WITH PREJUDICE  
AND CLOSING FILE**

Before the Court is the parties' Stipulation of Dismissal with Prejudice (Ct. Rec. 286). The parties ask that the Court dismiss the above-captioned case with prejudice and without costs.

Accordingly, **IT IS HEREBY ORDERED:**

1. The above-captioned case is **dismissed** with prejudice and without costs to the parties.

2. The District Court Executive is directed to close the file.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order, close the file, and provide copies to counsel.

**DATED** this 5<sup>th</sup> day of January, 2009.

*S/ Robert H. Whaley*

ROBERT H. WHALEY  
Chief United States District Court

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